

1 JEFFREY B. COOPERSMITH (SBN 252819)  
WALTER F. BROWN (SBN 130248)  
2 MELINDA HAAG (SBN 132612)  
RANDALL S. LUSKEY (SBN 240915)  
3 STEPHEN A. CAZARES (SBN 201864)

4 ORRICK, HERRINGTON & SUTCLIFFE LLP  
The Orrick Building  
5 405 Howard Street  
San Francisco, CA 94105-2669  
6 Telephone: +1-415-773-5700  
Facsimile: +1-415-773-5759  
7

8 Email: jcoopersmith@orrick.com; wbrown@orrick.com;  
mhaag@orrick.com; rluskey@orrick.com;  
9 scazares@orrick.com

10 Attorneys for Defendant  
RAMESH "SUNNY" BALWANI  
11

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN JOSE DIVISION  
15

16 UNITED STATES OF AMERICA,

17 Plaintiff,

18 v.

19 ELIZABETH HOLMES and RAMESH  
20 "SUNNY" BALWANI,

21 Defendants.  
22

Case No. CR-18-00258-EJD

**DEFENDANT RAMESH "SUNNY"  
BALWANI'S JOINDER IN MS.  
HOLMES' MOTION TO DISMISS AS  
TIME-BARRED COUNTS THREE  
THROUGH EIGHT AND TEN OF THE  
SECOND SUPERSEDING  
INDICTMENT AND COUNTS THREE  
THROUGH EIGHT, TEN, AND  
ELEVEN OF THE THIRD  
SUPERSEDING INDICTMENT**

**Date: October 6, 2020**

**Time: 10:00 a.m.**

**CTRM: 4, 5th Floor**

**Hon. Edward J. Davila**

26 Defendant Ramesh Balwani joins in the Motion to Dismiss as Time-Barred Counts Three  
27 Through Eight and Ten of the Second Superseding Indictment and Counts Three Through Eight,  
28

1 Ten, and Eleven of the Third Superseding Indictment filed by Defendant Elizabeth Holmes (Dkt.  
2 No. 498).

3 DATED: August 28, 2020

Respectfully submitted,

4 ORRICK HERRINGTON & SUTCLIFFE LLP

5  
6 By: /s/ Jeffrey B. Coopersmith  
Jeffrey B. Coopersmith

7 Attorney for Defendant  
8 RAMESH BALWANI